

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

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INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42942

IN THE MATTER OF THE JOINT)
APPLICATION OF COMTEL TELCOM)
ASSETS LP AND VARTEC TELECOM, INC.,)
EXCEL TELECOMMUNICATIONS, INC.,)
AND VARTEC SOLUTIONS, INC. FOR)
APPROVAL OF A TRANSFER OF ASSETS)
AND CERTIFICATED OF TERRITORIAL)
AUTHORITY AND REQUEST FOR WAIVER)
OF SLAMMING RULES)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On October 24, 2005, Petitioner filed its *Request for Confidential Treatment of Information* ("Motion") seeking protection of certain financial information as trade secrets pursuant to the provisions of I.C. § 8-1-2-29 and I.C. § 5-14-3-4. In support of its Motion, the Petitioner included the Verification ("Verification") of Lee Ann Wilson, Assistant Secretary of Comtel Telcom Assets LP. The Verification, dated October 21, 2005, has been placed in the Commission's file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Motion and accompanying Verification, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver the Confidential Information to the Presiding Administrative Law Judge. The Confidential Information should be on light green paper, in a sealed envelope clearly marked confidential with the Cause No. noted thereon, and will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.

Aaron A. Schmoll, Administrative Law Judge

11/4/05

Date